

REMARKS

Claims 4, 5 and 9-28 are pending in this application. By this Amendment, claims 10-11, 13, 15 and 23 are amended to correct various informalities, and claims 26-28 are added to claim subject matter deleted from claims 10, 11 and 13. Support for these amendments can be found in the specification, for example at page 13, line 20 - page 14, line 3 and page 14, lines 5-16.

Applicants gratefully acknowledge the indication in the Office Action that the subject matter of claims 4, 5 and 9-25 is allowable, and the reasons for allowability stated therein.

I. Claim Objections

The Office Action objects to claims 15 and 23 because of informalities. Applicants respectfully submit that the amendments to these claims correct these informalities. Thus, withdrawal of these objections is respectfully requested.

II. Claim Rejections Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 9-11 and 13 under 35 U.S.C. §112, second paragraph, as indefinite. Applicants respectfully traverse these rejections.

Specifically, the Office Action rejects claim 9 as having insufficient antecedent basis for the term "the reactor". Claim 23 has been amended to provide the required antecedent basis. Thus, reconsideration and withdrawal of the rejection as to claim 9 is respectfully requested.

The Office Action also rejects claims 10 and 11, as having insufficient antecedent basis for the terms "aluminum source slurry" and "magnesium source slurry", respectively. Claims 10 and 11 have been amended to remove the word "slurry". Applicants respectfully submit that sufficient antecedent basis exists for the terms "aluminum source" and "magnesium source". Thus, reconsideration and withdrawal of the rejection as to claims 10 and 11 is respectfully requested.

Further, the Office Action rejects claim 13 as indefinite because the phrase "such as" is unclear. Applicants respectfully submit that the amendments to claim 13, deleting the phrase "such as $V_{10}O_{28}^{6-}$ and $Mo_7O_{24}^{6-}$ ", and the addition of new claim 28, setting forth the deleted subject matter, clarify claim 13. Thus, reconsideration and withdrawal of this rejection as to claim 13 is respectfully requested.

III. Double Patenting Rejection

The Office Action rejects claims 4, 5 and 9-25 under the judicially created doctrine of double patenting over claims 1-19 of U.S. Patent No. 6,440,887 B1 and over claims 1-18 of U.S. Patent No. 6,171,991 B1. Applicants respectfully traverse this rejection.

Applicants respectfully submit that the attached Terminal Disclaimer overcomes this rejection. Accordingly, Applicants respectfully request that this rejection be withdrawn.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 4, 5 and 9-28 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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WPB:JMS/jcp

Attachment:
Terminal Disclaimer

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